

ENTERED

May 28, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

KYLE SNAMISKA,

Plaintiff.

VS.

DAVINDER SEKHON, ET AL.,

Defendants.

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CIVIL ACTION NO. 3:21-cv-00264

ORDER

I am happy and I am sad. On one hand, I am thrilled to have top-notch counsel on both sides of the “v” appear before me in this case. On the other hand, I am extremely disappointed that those lawyers have been unable resolve a dispute that they all agree is a “simple discovery conflict.” Dkt. 20 at 1. Given the four—that’s right, four—letters submitted to the Court addressing this discovery dispute, one would initially think this is a highly complicated and nuanced discovery issue. It is not. The only issue for the parties to resolve is coming to an agreement on a suitable time and place to depose the Plaintiff. With all the brain power and years of courtroom experience present in this matter, I am shocked—and dismayed—that the lawyers have been unable to resolve this issue. I am rightfully concerned that if the parties cannot agree on a date and place for the Plaintiff’s deposition, other silly discovery squabbles are sure to follow. I want to avoid that at all costs.

So, let’s do this: I order counsel to confer by video (not phone) on Tuesday, May 31, 2022, to find common ground. By requiring you all to see each other while you talk, I am hopeful that you will be able to communicate more effectively. Call me optimistic, but I think that if the parties try really hard, you can come to an agreement on a time and place to depose the Plaintiff. If you happen to reach an agreement on a deposition date (keeping my fingers crossed), just let my case manager know and we will cancel the discovery hearing currently set for 1 pm on

Wednesday, June 1, 2022. If you all cannot figure out an agreeable date to take the Plaintiff's deposition, I will enter the fray. I will ask each side to provide three dates. I will then put those dates on individual pieces of paper and put all six slivers into a hat. I will then pick one and whatever date shows up on that piece of paper will be the date of the deposition.¹

One more thing. If I need to get further involved in this discovery squabble, the deposition itself will take place in my courtroom at the historic Galveston federal courthouse. That way, I can easily address any disputes that arise during the deposition.

SIGNED this 28th day of May 2022.

A handwritten signature in black ink, appearing to read 'A. M. Edison', written over a horizontal line.

ANDREW M. EDISON
UNITED STATES MAGISTRATE JUDGE

¹ One caveat. The week of June 13 is off. Mr. Peckham is going on vacation that week. Time with family away from the hustle and bustle of daily life should be respected. I will never ask a lawyer to move a pre-scheduled vacation for a deposition, hearing, or other case-related event.